

E-filing

FILED

JAN 17 2008

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

WILLIE WEAVER

Plaintiff,

vs.

PELICAN BAY STATE
PRISON

Defendant.

CASE NO. 07 6247

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

JW
(PR)

I, WILLIE WEAVER, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☐ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 SACRAMENTO AIR PORT 300 WEEKLY
 5 12 MONTHLY
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ____ No ☒
 10 self employment
- 11 b. Income from stocks, bonds, Yes ____ No ☒
 12 or royalties?
- 13 c. Rent payments? Yes ____ No ☒
- 14 d. Pensions, annuities, or Yes ____ No ☒
 15 life insurance payments?
- 16 e. Federal or State welfare payments, Yes ____ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ____ No ☒

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

✓

Yes ☐ No ☒

6. Do you own an automobile?

Yes No ✓

Is it financed? Yes _____ No ✓ If so, Total due: \$ _____

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Year	Percentage of Population Aged 65 and Over
1950	7%
1960	7.5%
1970	8%
1980	8.5%
1990	9%
2000	10%
2010	11.5%
2020	13%
2030	15%
2040	17%
2050	18%

Do you own any cash? Yes ☐ No ☒ Amount: \$ _____

Rent: \$ _____ Utilities: _____

Food: \$ _____ Clothing: _____

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
------------------------	------------------------	---------------------------------

\$ _____ \$ _____

_____ \$ _____ \$ _____

\$ _____ \$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)
3 _____
4 _____

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ____ No ____
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.
9 _____
10 _____

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 12/20/07
17 DATE

Willie Weaver
SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATION OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Willie Eugene Weaver J91389 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$13.13 and the average balance in the prisoner's account each month for the most recent 6-month period was \$17.55. (20% = \$3.51)

Dated: 12/20/07

L. U. and I. J.
Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 12-20-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Kleppin
TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCT: J91389

ACCT NAME: WEAVER, WILLIE EUGENE

ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 01/19/96
COUNTY CODE: SACCASE NUMBER: 94F09335
FINE AMOUNT: \$ 5,600.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
06/01/2007		BEGINNING BALANCE		5,393.82
07/11/07	DR30	REST DED-CASH DEPOSIT	75.00-	5,318.82
11/27/07	DR30	REST DED-CASH DEPOSIT	12.50-	5,306.32

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
10.62	84.07	94.64	0.05	5.32	0.00



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CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. K. Lepore
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

5.27-

CALIFORNIA DEPARTMENT OF CORRECTIONS
PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCOUNT NUMBER : J91389
ACCOUNT NAME : WEAVER, WILLIE EUGENE
PRIVILEGE GROUP: DBED/CELL NUMBER: BF02U 0000002105
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
06/01/2007		BEGINNING BALANCE					10.62
07/05	D320	TRUST FUNDS T	0078 CCI		5.32		15.94
07/11	*DD30	CASH DEPOSIT	0197 #006		67.50		83.44
07/19	W215	FEDERAL FILIN	0351 03/02			2.57	80.87
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	78.30
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	75.73
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	73.16
07/19	W214	FEDERAL FILIN	0351 03/02			2.57	70.59
07/19	W214	FEDERAL FILIN	0351 03/02			2.57	68.02
07/19	W211	FEDERAL FILIN	0351 03/02			2.57	65.45
07/19	W215	FEDERAL FILIN	0351 07/11			9.35	56.10
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	46.75
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	37.40
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	28.05
07/19	W214	FEDERAL FILIN	0351 07/11			9.35	18.70
07/19	W214	FEDERAL FILIN	0351 07/11			9.35	9.35
07/19	W211	FEDERAL FILIN	0351 07/11			9.35	0.00
11/27	*DD30	CASH DEPOSIT	2318 ML101		11.25		11.25
11/27	W211	FEDERAL FILIN	2333 11/27			1.40	9.85
11/27	W214	FEDERAL FILIN	2333 11/27			1.40	8.45
11/27	W215	FEDERAL FILIN	2333 11/27			1.40	7.05
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	5.65
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	4.25
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	2.85
11/27	W214	FEDERAL FILIN	2333 11/27			1.40	1.45
11/27	W211	FEDERAL FILIN	2333 11/27			1.40	0.05

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.87
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.45

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CALIFORNIA DEPARTMENT OF CORRECTIONS
BY S. K. Depina
TRUST OFFICE